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EXAMINER

CAMPBELL, JOSHUA D

ART UNIT PAPER NUMBER

2178

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/576,754

Applicant(s)

ADLER ET AL.

Examiner

Joshua D Campbell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 and 22-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 22-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 04/27/2005.
2. Claims 1-20 and 22-35 are pending in this case. Claims 1, 8, 15, 22, 28, and 34 are independent claims. Claims 1, 8, 15, 22, 28, and 34 have been amended.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 15-18, 20, 22-23, and 25-27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al. (US Patent Number 5,781,714, issued on July 14, 1998) in view of Lipton (US Patent Number 5,940,581, issued on August 17, 1999).

4. **Regarding independent claim 15**, Collins et al. discloses a method in which a server receives requests for portable fonts (subsets) that are needed to display the web page (electronic content) (column 40, lines 15-29 of Collins et al.). Collins et al. discloses a method in which the requests are generated by a client computer based upon HTML tags inserted into a web page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, column 31, lines 31-57, and column 40, lines 15-29 of Collins et al.). Collins et al. discloses a method that once the portable fonts are obtained they are sent to the client computer and used to display the current HTML file (column 40, lines 15-32 of Collins et

al.). Collins et al. does not disclose a method in which the directives are added to the document in response to a request. However, Lipton discloses a method in which at the time of request (for printing, imaging, etc.) a font subset is generated and processed for the requested document (column 2, lines 25-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of using directives for font subsetting of Collins et al. with the method of dynamically creating font subsets of Lipton because it would have always assured that the document will be imaged in the most efficient manner that is consistent with the capabilities of the device.

5. **Regarding dependent claim 16**, Collins et al. discloses a method in which the computers used have the ability to process the program instructions stored in memory devices for this method (column 8, line 62-column 9, line 3 of Collins et al.).

6. **Regarding dependent claim 17**, Collins et al. discloses a method in which the computers used are personal computers and have the ability to process the program instructions stored in memory devices for this method (column 8, line 62-column 9, line 3 of Collins et al.).

7. **Regarding dependent claim 18**, Collins et al. discloses a method in which portable fonts (subsets) are identified by HTML tags inserted into a web page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, and column 31, lines 31-57 of Collins et al.). Collins et al.

also discloses that when a user requests a URL the modified version of the web page is the file that is sent to them (column 38, line 53-column 39, line 4 of Collins et al.).

8. **Regarding dependent claim 20**, Collins et al. discloses a method in which portable font tags are identified in the modified HTML document (column 39, line 53-column 40, line 5 of Collins et al.).

9. **Regarding independent claim 22**, Collins et al. discloses a method in which a HTML page can be loaded from local storage that contains HTML tags that point to files containing font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, column 31, lines 31-57, and column 38, lines 36-42 of Collins et al.).

Collins et al. discloses a method in which portable font tags (directives) are identified in the modified HTML document (column 39, line 53-column 40, line 5 of Collins et al.).

Collins et al. discloses a method in which the browser on the client computer determines whether or not the portable font is in cache (local storage) on the client computer. If it is the HTML document is displayed based on the portable font obtained from local cache otherwise a request is made to the server to obtain that portable font (column 31, lines 3-20 of Collins et al.). Collins et al. discloses a method that once the portable fonts are obtained by the server device they are sent to the client computer and used to display the current HTML file (column 40, lines 15-32 of Collins et al.). Collins et al. does not disclose a method in which the directives are added to the document in response to a request. However, Lipton discloses a method in which at the time of request (for printing, imaging, etc.) a font subset is generated and processed for the

requested document (column 2, lines 25-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of using directives for font subsetting of Collins et al. with the method of dynamically creating font subsets of Lipton because it would have always assured that the document will be imaged in the most efficient manner that is consistent with the capabilities of the device.

10. **Regarding dependent claims 23 and 25-26**, the claims incorporate substantially similar subject matter as claims 9, 14, and 17. Thus, the claims are rejected along the same rationale as claims 9, 14, and 17.

11. **Regarding dependent claim 27**, Collins et al. discloses a method in which the browser on the client computer determines whether or not the portable font is in cache (local storage) on the client computer. If it is the HTML document is displayed based on the portable font obtained from local cache otherwise a request is made to the server to obtain that portable font (column 31, lines 3-20 of Collins et al.).

Claims 1-14 and 28-35 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Simon et al. (US Patent Number 6,065,008, filed on October 1, 1997) in view of Collins et al. (US Patent Number 5,781,714, issued on July 14, 1998) further in view of Lipton (US Patent Number 5,940,581, issued on August 17, 1999).

12. **Regarding independent claim 1**, Simon et al. discloses a method in which a web page (electronic content) is downloaded from the Internet (computer network),

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which entails a request from a computer to a network device (column 1, lines 36-46 of Simon et al.). Simon et al. discloses a method in which the web page is scanned by a subsetting module to provide just enough of the rules and glyph information necessary to view the web page which includes fonts (which may include different languages i.e. Latin and Japanese) that are not local to the client device (column 1, lines 31-46 and column 2, line 64-column 3, line 4 of Simon et al.). Simon et al. does not disclose that only the glyphs identified in the requested document are used. However, Collins et al. discloses a method in which only glyphs that are used in the document are contained within the portable font (subset) (column 31, lines 31-44 of Collins et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Simon et al. and Collins et al. because it would have allowed for more efficient use of available space. Simon et al. does not disclose a method in which directives are inserted into the electronic content to identify the glyph subsets necessary or sending the modified file to the client. However, Collins et al. discloses a method in which portable fonts (subsets) are identified by HTML tags inserted into a web page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, and column 31, lines 31-57 of Collins et al.). Collins et al. also discloses that when a user requests a URL the modified version of the web page is the file that is sent to them (column 38, line 53-column 39, line 4 of Collins et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Simon et al.

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and the method of Collins et al. because it would have allowed for more efficient transmission of font information. Neither Simon et al. nor Collins et al. disclose a method in which the directives are added to the document in response to a request. However, Lipton discloses a method in which at the time of request (for printing, imaging, etc.) a font subset is generated and processed for the requested document (column 2, lines 25-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of using directives for font subsetting of Collins et al. and Simon et al. with the method of dynamically creating font subsets of Lipton because it would have always assured that the document will be imaged in the most efficient manner that is consistent with the capabilities of the device.

13. **Regarding dependent claim 2**, Simon et al. discloses a method in which a font distributor server has non-volatile memory from which a subsetting module can be run on the processor (column 1, lines 34-51 of Simon et al.).

14. **Regarding dependent claim 3**, Simon et al. discloses a method in which a web page is downloaded from the Internet, which entails a request from a computer to a network device (column 1, lines 36-46 of Simon et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made that web pages are written in Hyper Text Markup Language.

15. **Regarding dependent claim 4**, Simon et al. discloses a method in which subsets can be generated for Japanese character sets (glyphs) (column 1, lines 31-36 of Simon et al.).

16. **Regarding dependent claim 5**, Simon et al. discloses a method in which a web page is downloaded from the Internet, which entails a request from a computer to a network device (column 1, lines 36-46 of Simon et al.).

17. **Regarding dependent claim 6**, Simon et al. discloses a method in which a personal computer is used by the user (column 5, lines 6-25 of Simon et al.).

18. **Regarding dependent claim 7**, Simon et al. does not disclose a method in which directives are inserted into the electronic content as meta tags to identify the glyph subsets necessary. However, Collins et al. discloses a method in which portable fonts (subsets) are identified by HTML style tags (header) inserted into a web page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, and column 31, lines 31-57 of Collins et al.).

19. **Regarding dependent claims 8 and 29**, Simon et al. discloses a method in which a web page (electronic content) is downloaded from the Internet (computer network), which entails a request from a computer to a network device (column 1, lines 36-46 of Simon et al.). Simon et al. discloses a method in which the web page is scanned by a subsetting module to provide just enough of the rules and glyph information necessary to view the web page which includes fonts (which may include different languages i.e. Latin and Japanese) that are not local to the client device (column 1, lines 31-46 and column 2, line 64-column 3, line 4 of Simon et al.). Simon et al. does not disclose a method in which directives are inserted into the electronic content to identify the glyph subsets necessary or sending the modified file to the client.

However, Collins et al. discloses a method in which portable fonts (subsets) are identified by HTML tags inserted into a web page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, and column 31, lines 31-57 of Collins et al.). Collins et al. also discloses that when a user requests a URL the modified version of the web page is the file that is sent to them (column 38, line 53-column 39, line 4 of Collins et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Simon et al. and the method of Collins et al. because it would have allowed for more efficient transmission of font information. Neither Simon et al. nor Collins et al. disclose a method in which the directives are added to the document in response to a request. However, Lipton discloses a method in which at the time of request (for printing, imaging, etc.) a font subset is generated and processed for the requested document (column 2, lines 25-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of using directives for font subsetting of Collins et al. and Simon et al. with the method of dynamically creating font subsets of Lipton because it would have always assured that the document will be imaged in the most efficient manner that is consistent with the capabilities of the device.

20. **Regarding dependent claim 9**, Simon et al. discloses a method in which the computers used have the ability to process the program instructions stored in memory devices for this method (column 5, lines 6-25 of Simon et al.).

21. **Regarding dependent claim 10**, Collins et al. does not disclose the use of a database from which the sets are retrieved. However, Simon et al. discloses a method in which the font distributor has a font database from which the fonts are obtained (column 4, lines 35-43 of Simon et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Collins et al. and Simon et al. because a database would have allowed for organized mass storage of large font sets.

22. **Regarding dependent claim 11**, Simon et al. discloses a method in which the font distributor has a font database from which the fonts are obtained and subsets of fonts are stored, if a subset of a font exists it may be on the client computer if it does not it will not be on the client computer (column 4, lines 35-43 of Simon et al.).

23. **Regarding dependent claim 12**, Simon et al. discloses a method in which the font distributor has a font database from which the fonts are obtained and subsets of fonts are stored.

24. **Regarding dependent claim 13**, Simon et al. does not disclose that requests are received for documents including directives in HTML. However, Collins et al. discloses a method in which portable fonts (subsets) are identified by HTML tags inserted into a web page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, and column 31, lines 31-57 of Collins et al.). Collins et al. also discloses that when a user requests a URL the modified version of the web page is the file that is sent to them (column 38, line 53-

column 39, line 4 of Collins et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Simon et al. and the method of Collins et al. because it would have allowed for more efficient transmission of font information.

25. **Regarding dependent claim 14**, Simon et al. discloses a method in which subsets can be generated for Japanese character sets (glyphs) (column 1, lines 31-36 of Simon et al.).

26. **Regarding independent claim 28**, Simon et al. discloses a method in which subsets are developed to minimize the amount of space needed to identify glyphs that are used to display electronic content in one or more desired languages (column 1, lines 31-46 and column 2, line 64-column 3, line 4 of Simon et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made that by minimizing the amount of space required to provide a font some devices that normally wouldn't have had enough space to view a document would now be able to view it. Simon et al. also discloses a method in which a personal computer is used to display electronic content using characters from glyph subsets (column 5, lines 6-25 of Simon et al.). Simon et al. does not disclose a method in which directives are used to identify the glyph subsets. However, Collins et al. discloses a method in which portable fonts (subsets) are identified by HTML tags (directives) inserted into an HTML page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) used to display an HTML page (column 24, lines 1-28, column 29 lines 41-55, and column 31, lines 31-57

of Collins et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Simon et al. and the method of Collins et al. because it would have allowed for more efficient transmission of font information. Neither Simon et al. nor Collins et al. disclose a method in which the directives are added to the document in response to a request. However, Lipton discloses a method in which at the time of request (for printing, imaging, etc.) a font subset is generated and processed for the requested document (column 2, lines 25-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of using directives for font subsetting of Collins et al. and Simon et al. with the method of dynamically creating font subsets of Lipton because it would have always assured that the document will be imaged in the most efficient manner that is consistent with the capabilities of the device.

27. **Regarding dependent claim 30**, Collins does not disclose a method in which an entry is created to associate a client device with the subsets that were sent to it. However, Simon et al. discloses a method in which the font distributor has a font database from which the fonts are obtained and subsets of fonts are stored. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Collins et al. and Simon et al. with the use of a log, which by definition is a record of transactions that take place on a system (Microsoft Press Computer Dictionary, 1997), to determine what font subsets have already been transmitted to a client device because it would have allowed the use of locally stored font subsets more efficiently.

28. **Regarding independent claim 31**, Simon et al. discloses a method in which a web page (electronic content) is downloaded from the Internet (computer network), which entails a request from a portable electronic device (computer) to a network device (column 1, lines 36-46 of Simon et al.). Simon et al. discloses a method in which the web page is scanned by a subsetting module to provide just enough of the rules and glyph information necessary to view the web page which includes fonts (which may include different languages i.e. Latin and Japanese) that are not local to the client device (column 1, lines 31-46 and column 2, line 64-column 3, line 4 of Simon et al.). Simon et al. does not disclose that only the glyphs identified in the requested document are used. However, Collins et al. discloses a method in which only glyphs that are used in the document are contained within the portable font (subset) (column 31, lines 31-44 of Collins et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Simon et al. and Collins et al. because it would have allowed for more efficient use of available space. Simon et al. does not disclose a method in which directives are inserted into the electronic content to identify the glyph subsets necessary or sending the modified file to the client. However, Collins et al. discloses a method in which portable fonts (subsets) are identified by HTML tags inserted into a web page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, and column 31, lines 31-57 of Collins et al.). Collins et al. also discloses that when a user requests a URL the modified version of the web page is the file that is sent to them

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(column 38, line 53-column 39, line 4 of Collins et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Simon et al. and the method of Collins et al. because it would have allowed for more efficient transmission of font information. Neither Simon et al. nor Collins et al. disclose a method in which the directives are added to the document in response to a request. However, Lipton discloses a method in which at the time of request (for printing, imaging, etc.) a font subset is generated and processed for the requested document (column 2, lines 25-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of using directives for font subsetting of Collins et al. and Simon et al. with the method of dynamically creating font subsets of Lipton because it would have always assured that the document will be imaged in the most efficient manner that is consistent with the capabilities of the device.

29. **Regarding dependent claim 32**, Collins et al. discloses a method in which a server receives requests for portable fonts (subsets) that are needed to display the web page (electronic content) (column 40, lines 15-29 of Collins et al.). Collins et al. discloses a method in which the requests are generated by a client computer based upon HTML tags inserted into a web page that point to a file containing the font descriptions and a look-up table for matching the portable font with the logical font record (predetermined encoding scheme) (column 24, lines 1-28, column 29 lines 41-55, column 31, lines 31-57, and column 40, lines 15-29 of Collins et al.). Collins et al. discloses a method that once the portable fonts are obtained they are sent to the client

computer and used to display the current HTML file (column 40, lines 15-32 of Collins et al.).

30. **Regarding dependent claim 33**, Collins et al. discloses a method in which the requesting network and the receiving network are one in the same (column 24, lines 1-28, column 29 lines 41-55, column 31, lines 31-57, and column 40, lines 15-29 of Collins et al.).

31. **Regarding independent claim 34 and dependent claim 35**, the claims incorporate substantially similar subject matter as claims 31 and 33. Thus, the claims are rejected along the same rationale as claims 31 and 33.

Claims 19 and 24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al. (US Patent Number 5,781,714, issued on July 14, 1998) in view of Lipton (US Patent Number 5,940,581, issued on August 17, 1999) as applied to claims 8, 15, and 22 above, and further in view of Simon et al. (US Patent Number 6,065,008, filed on October 1, 1997).

32. **Regarding dependent claim 19**, Collins et al. does not disclose a method in which the glyph subsets are Chinese, Japanese, Korean, Vietnamese, Hebrew or Arabic glyphs. However, Simon et al. discloses a method in which subsets can be generated for Japanese character sets (glyphs) (column 1, lines 31-36 of Simon et al.). It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have combined the method of Collins et al. and Simon et al. because it would have allowed the user to view a wider range of unknown fonts.

33. **Regarding dependent claim 24**, the claim contains substantially similar subject matter as claim 14. Thus, the claim is rejected along the same rationale as claim 14.

Response to Arguments

34. Applicant's arguments filed 04/27/2005 have been fully considered but they are not persuasive.

In response to the applicant's arguments referenced as Traverse 1 (pages 14-15) dealing with claims 15-18, 20, 22, 23, and 25-27, the examiner believes the rejection is proper and thus the rejection stands. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). As can be seen in the rejection as presented, Collins teaches that the font subsets are presented due to a request from an intermediate network device and a predetermined encoding scheme is used to encode (using a predetermined coding scheme) the glyphs (column 40, lines 15-29 and column 24, lines 1-28 of Collins). Lipton discloses that a glyph subset may be created on the fly and the content will be modified based at the time of the request (column 2, lines 25-61 of Lipton). The examiner actually points out in the rejection that Collins does not teach that the glyph subset is created on the fly, and that is why the Lipton reference is used

to show obviousness, so it is unclear why this point is being stated as an argument to why the rejection is invalid. The rejection as is based on the combination of the references is believed to be proper and thus stands in the current rejection.

In response to the applicant's arguments referenced as Traverse 2 and 3 (pages 15-17) dealing with claims 15-18, 20, 22, 23, and 25-27, the examiner believes the rejection is proper and thus the rejection stands. The statement of motivation provided by the examiner is shown in Lipton (column 2, lines 20-23), another possible motivation for creating the subsets on the fly would be to conserve storage space by not storing each of the subsets ahead of time. Using either or both of these motivation statements would provide grounds for an obvious proper combination of the Collins and Lipton references, thus the rejection is maintained.

In response to the applicant's arguments referenced as Traverse 1 (pages 19-20) dealing with claims 1-14 and 28-35, the examiner believes the rejection is proper and thus the rejection stands. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). As can be seen in the rejection as presented, Simon discloses a method in which glyphs necessary to produce a document in a different language are accessed based on whether or not the client device has them (column 2, line 64-column 3, line 4 of Simon). Collins teaches that the font subsets are presented due to a request from an intermediate network device and a predetermined encoding

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scheme is used to encode (using a predetermined coding scheme) the glyphs (column 40, lines 15-29 and column 24, lines 1-28 of Collins). Lipton discloses that a glyph subset may be created on the fly and the content will be modified based at the time of the request (column 2, lines 25-61 of Lipton). The examiner actually points out in the rejection that Collins does not teach that the glyph subset is created on the fly, and that is why the Lipton reference is used to show obviousness, so it is unclear why this point is being stated as an argument to why the rejection is invalid. The rejection as is based on the combination of the references is believed to be proper and thus stands in the current rejection.

In response to the applicant's arguments referenced as Traverse 2 and 3 (pages 21-22) dealing with claims 1-14 and 28-35, the examiner believes the rejection is proper and thus the rejection stands. The statement of motivation made by the examiner that the combination of Simon and Collins would have been obvious because it would have allowed for more efficient transmission is proper. As shown in Collins only the exact glyphs used in the document are sent in the reduced font set (column 31, lines 31-44 of Collins), while in Simon a reduced set, which includes some fonts not included in the document is sent. Thus, the font set of Collins will be smaller than the font set of Simon and clearly would allow for a more efficient transmission due to the fact that less data is being sent and the same result occurs. It is not merely an allegation, rather it is a fact that when a smaller amount of data is transmitted in the exact same way as the larger amount of data the transmission of the smaller amount will in fact be more efficient due to a smaller transmission time. The statement of motivation provided by the examiner

to add the teachings of Lipton to the rejection is shown in Lipton (column 2, lines 20-23), another possible motivation for creating the subsets on the fly would be to conserve storage space by not storing each of the subsets ahead of time. Using either or both of these motivation statements would provide grounds for an obvious proper combination of the Collins and Lipton references, thus the rejection is maintained.

In response to the applicant's arguments referenced as Traverse 1, 2, and 3 (pages 22-23) dealing with claims 19 and 24, the examiner believes the rejection is proper and thus the rejection stands. The arguments are the same as the arguments regarding the previous claims, thus the responses above can be used to maintain the rejection of these claims also.

Conclusion

35. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
June 21, 2005


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100